

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

G.G., A.L., and B.S., individually and on behalf
of all others similarly situated,

Plaintiffs,

v.

VALVE CORPORATION, a Washington
corporation,

Defendant.

No. 2:16-cv-01941-JCC

**VALVE CORPORATION'S
MOTION TO LIFT STAY AND
DISMISS CASE WITH
PREJUDICE**

**NOTE ON MOTION CALENDAR:
FEBRUARY 22, 2019**

I. INTRODUCTION AND RELIEF REQUESTED

On April 3, 2017, the Court granted Defendant's Motion to Compel Arbitration, ordering the parties to arbitrate their claims and staying this case pending arbitration. (Dkt. # 30). Valve prevailed in all arbitration proceedings conducted pursuant to the Court's Order. Now that the arbitrations are complete, Valve moves the Court to lift the stay for the limited purpose of dismissing with prejudice all claims against Valve.

II. RESULTS OF ARBITRATIONS

A. Plaintiffs Attempt a Single Consolidated Arbitration, Which is Dismissed.

After the Court ordered the parties to arbitration (Dkt. #30), all three Plaintiffs submitted a single consolidated arbitration demand to the American Arbitration Association (AAA) dated

June 5, 2017, which was given AAA Case No. 01-17-0003-3675 and assigned to Arbitrator Allan Weiss in Louisville, Kentucky. Valve asked Arbitrator Weiss to enforce the provisions of its Steam Subscriber Agreement, in which Plaintiffs agreed that all arbitrations would be individual and would occur in the county where each Plaintiff lives. On January 3, 2018, Arbitrator Weiss held that Louisville, Kentucky was not the proper venue for any arbitration proceedings, and ruled that all claims should be referred to arbitration in the county where each Plaintiff lives. AAA then closed this consolidated arbitration based on Arbitrator Weiss's order.

B. Plaintiffs Re-file Two Individual Arbitrations; Valve Prevails In Both.

On May 3, 2018, Plaintiff G.G. submitted a new arbitration demand to AAA on behalf of herself and her minor son J.P., which was given AAA Case No. 01-18-0001-7977 and assigned to arbitrator Mark Schiff in Chicago, Illinois. Also on May 3, Plaintiff B.S. submitted a new arbitration demand to AAA on behalf of herself and her minor son E.B., which was given AAA Case No. 01-18-0001-7979 and assigned to arbitrator Thomas Laffey in St. Louis, Missouri. Although Plaintiff A.L. was part of the original consolidated arbitration assigned to Arbitrator Weiss, she chose not to re-file an individual arbitration demand after the original arbitration was dismissed.

Arbitrator Laffey held an evidentiary hearing in the B.S. arbitration on November 29, 2018. After taking testimony from Valve's witnesses and from Plaintiff E.B., reviewing numerous exhibits, and receiving extensive post-hearing briefing, Arbitrator Laffey entered an award in Valve's favor on all claims. No further action remains to be taken in the B.S. arbitration, and the AAA has closed this file.

Arbitrator Schiff held an evidentiary hearing in the G.G. arbitration on December 13, 2018. Arbitrator Schiff took testimony from Valve's witnesses, Plaintiff G.G., and her son J.P.; reviewed numerous exhibits; and received extensive post-hearing briefing. Arbitrator Schiff then entered an award in Valve's favor on all claims. No further action remains to be taken in the G.G. arbitration, and the AAA has closed this file.

Valve has now prevailed in all arbitrations and nothing further remains to be done in this case. Valve therefore requests that the Court lift the stay imposed by the Order (Dkt. # 30) for the limited purpose of dismissing all claims against Valve with prejudice and entering a judgment in Valve's favor on all claims asserted in this action.

FOX ROTHSCILD LLP

And

By /s/ Charles B. Casper
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Attorneys for Defendant Valve Corporation

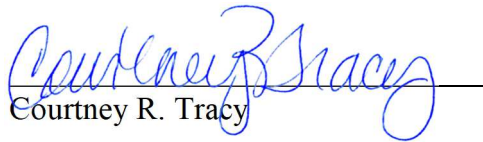
CERTIFICATE OF SERVICE

I certify that I am a secretary at the law firm of Fox Rothschild LLP in Seattle, Washington. I am a U.S. citizen over the age of eighteen years and not a party to the within cause. On the date shown below, I caused to be served a true and correct copy of the foregoing on counsel of record for all other parties to this action as indicated below:

<u>Service List</u>	
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1 I declare under penalty of perjury under the laws of the State of Washington that the
2 foregoing is true and correct.

3 EXECUTED this 30th day of January, 2019, in Seattle, Washington.
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